

**MINUTES OF PUBLIC MEETING
FOR THE CORRECTIONS OFFICER RETIREMENT PLAN LOCAL BOARD
FOR THE SUPERIOR COURT**

A Public Meeting of the Corrections Officer Retirement Plan Local Board for the Superior Court was convened Wednesday, August 8, 2012, at 10:00 a.m., Conference Room 109, Arizona State Courts Building, 1501 West Washington Street, Phoenix, Arizona.

Members Present:

Kevin Kluge, Chair; Phil Hanley; Mark Smalley; Jason Hathcock (via conference call)

Also Present:

Annette Corallo, Board Secretary; Leticia Chavez, Recorder; Kim Cantoni

Absent:

Rob Lubitz

Call to Order

Approval of the Minutes:

- a. July 9, 2012, Public Meeting Minutes
- b. July 9, 2012, Executive Session Minutes
- c. July 9, 2012, Transcript of Proceedings – Open Session
- d. July 9, 2012, Transcript of Proceedings – Executive Session

The Chair called for any corrections or additions to the minutes.

MOTION: A motion to approve the July 9, 2012, Public and Executive Meeting Minutes and Transcripts was made by M. Smalley. Motion was seconded and passed unanimously; minutes stand approved. **CORP 2012-38**

Notice of Return to Work:

The Board received a Notice of Retiree Return to Work from Pima County for Manuel L. Florez, Probation Unit Supervisor. The form indicates Mr. Florez retired on July 1, 2011, and returned to work on July 2, 2012, in a CORP designated position. The Board noted for the record that Mr. Florez is eligible to continue to receive a pension pursuant to A.R.S. 38-884.K., which states that a retired member may become employed by an employer in a designated position and continue to receive a pension if the employment occurs at least twelve months after retirement. The Board also noted for the record that Mr. Florez's employer (Pima County) is responsible for paying an alternate contribution rate (ACR) on his behalf.

The Board asked the Board Secretary to clarify the salary amount shown for Mr. Florez and to correct it as needed on his Notice of Retiree Return to Work form. The Board Secretary was further asked to bring the salary clarification to the next meeting, if necessary.

Approval of Normal Retirement:

The Local Board may consider and vote on the approval of Normal Retirement benefits for the following applications or defer decision to a later date:

- a. Kenneth L. Bergstedt
- b. Marjorie I. Brakefield
- c. Robert R. McAnally
- d. Jill W. Sanchez

MOTION: A motion to approve the payment of Normal and Reverse DROP Retirement benefits to the following applicants in approximately the following amounts was made by P. Hanley. Motion was seconded and passed unanimously. CORP 2012-39

Kenneth L. Bergstedt:	\$2,476.72
Marjorie I. Brakefield:	\$4,526.03 (R-DROP estimate of \$166,365.05)
Robert R. McAnally:	\$3,279.21
Jill W. Sanchez:	\$2,848.99

Approval of Membership:

The Local Board may consider and vote on the approval of the following requests for membership or defer decision to a later date:

- | | | | |
|----|--------------------|----------|-----------|
| a. | Amaya, Mattie | Coconino | 4/30/2012 |
| b. | Arteaga, Carolyn | Maricopa | 6/25/2012 |
| c. | Holbrook, Michelle | Maricopa | 7/23/2012 |
| d. | Keeler, Larry | Maricopa | 7/23/2012 |
| e. | Quihuis, Matthew | Maricopa | 7/23/2012 |
| f. | Ray, Robert | Maricopa | 6/25/2012 |
| g. | Wheeler, Kevin | Pima | 7/16/2012 |
| h. | Williams, Marcus | Maricopa | 7/23/2012 |

For the record, the Board noted new members Mattie Amaya, Michelle Holbrook, Larry Keeler, Matthew Quihuis, and Kevin Wheeler have pre-existing conditions. To comply with the new procedures, these members will be sent a pre-existing condition letter.

MOTION: A motion to approve the eight (8) named employees requesting membership into CORP was made by J. Hathcock. Motion was seconded and passed unanimously. CORP 2012-40

General Discussion:**a. Status Update: Retiree Return to Work – Opt-Out Waiver**

The Board agreed at the May 9, 2012 meeting to ask for direction from PSPRS as to whether members who opted-out of CORP and stayed in ASRS at the time of the joinder agreement, and later become employed in a CORP designated position after retirement under ASRS, would be allowed to participate in CORP. A letter was sent to the Fund on May 15, 2012. The Board Secretary reported that no response has been received from the Fund to date.

Kevin Kluge advised the Board that although there has not been a formal response from the Fund Manager on the question posed in the May 15 letter, a similar question was raised this month on which the Fund Manager communicated with the Board's Attorney. In that case, an employee who signed an Opt-Out waiver wanted to move back into a CORP designated position and continue to contribute to ASRS. According to the email communication between the Fund Manager's Office, ASRS, and the Board's attorney, it was determined that the signed Opt-Out prohibits this employee from ever participating in CORP and the employee would continue to contribute to ASRS even while holding a CORP designated position. Mr. Kluge indicated the Board would receive a copy of the communication in that case with the materials for the September meeting.

Call to Public

No members of the public addressed the Board.

Transcribed August 8, 2012